

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION**

KEVIAS DEMARCUS JACKSON,)	
)	
Plaintiff,)	
)	
v.)	CV416-304
)	
MARTY ALLEN, Warden,)	
)	
Defendant.)	

ORDER

Kevias Jackson is a prisoner housed at the Georgia State Prison in Reidsville, Georgia, for crimes committed in DeKalb County, Georgia. Doc. 1; *see* Georgia Department of Corrections Inmate Locator, <http://www.dcor.state.ga.us/GDC/OffenderQuery/>. He has filed a “petition for writ of habeas corpus,” raising several ineffective assistance of counsel claims against both his trial and appellate counsel. Docs. 1 & 3.

He evidently chose to file his § 2254 petition in this judicial district because he is incarcerated in Tattnall County. *See* 28 U.S.C. § 90(c)(6) (Statesboro division). He was convicted, however, in DeKalb County, which lies within the Northern District of Georgia. 28 U.S.C. § 90(a)(2). A federal habeas petitioner is allowed to file his petition in either the

district where he was convicted or in the district where he is confined. 28 U.S.C. § 2241(d); *Wright v. Indiana*, 263 F. App'x 794, 795 (11th Cir. 2008). Hence, both this Court and the Northern District concurrently have jurisdiction to hear his case.

Nevertheless, it is longstanding judicial policy and practice to funnel such petitions into the district within which the state prisoner was convicted, since that will be the most convenient forum. *Mitchell v. Henderson*, 432 F.2d 435, 436 (5th Cir. 1970); see *Wright*, 263 F. App'x at 795. That practice also fosters an equitable distribution of habeas cases between the districts. This case is therefore **TRANSFERRED** to the Northern District of Georgia for all further proceedings. See 28 U.S.C. § 1404(a) (permitting a district court to transfer any civil action to another district or division where it may have been brought for the convenience of parties and witnesses and in the interest of justice); *Rufus v. Kemp*, 2013 WL 2659983 at * 1 (S.D. Ga. June 12, 2013).

SO ORDERED, this 1st day of December, 2016.


UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA